

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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FRANCISCO VIDAL, KHLOE VIDAL,
JAMES NESKE, and SANDRA SCHORAS,

Plaintiff,

v.

INTERNAL AFFAIRS LVMPD, OFFICER E.
CLINE, OFFICER ROWE, OFFICER
ROHAN, JOE LOMBARDO, OFFICER
TURNER, OFFICER DIAZ, OFFICER
POUPARD, and SGT. LUECK,

Defendants.

Case No.: 2:19-cv-02130-JAD-EJY

ORDER

According to the Nevada Department of Corrections (“NDOC”) inmate database, Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a “*pro se* party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. The Court grants Plaintiff thirty (30) days from the date of entry of this Order to file his updated address with this Court. If Plaintiff does not update the Court with his current address within thirty (30) days from the date of entry of this Order, the Court will recommend dismissal of this action without prejudice.

In addition, the Court denies Plaintiff’s application to proceed *in forma pauperis* for prisoners (ECF No. 5) as moot because Plaintiff is no longer incarcerated. The Court directs Plaintiff to file an application to proceed in forma pauperis by a non-prisoner or pay the full filing fee of \$402 within thirty (30) days from the date of this Order.

For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff must file his updated address with the Court within thirty (30) days from the date of this order.

1 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for
2 prisoners (ECF No. 5) is DENIED as moot.

3 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved
4 form application to proceed in forma pauperis by a non-prisoner, as well as the document entitled
5 information and instructions for filing an in forma pauperis application.

6 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order, Plaintiff
7 must either file a fully complete application to proceed *in forma pauperis* for non-prisoners or pay
8 the full filing fee of \$400.

9 IT IS FURTHER ORDERED that if Plaintiff fails to timely comply with this Order the Court
10 will recommend dismissal of this case without prejudice.

11 Dated this 8th day of November, 2021.

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14 ELAYNA J. YOUCHAH
15 UNITED STATES MAGISTRATE JUDGE
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